

109TH CONGRESS  
1ST SESSION

# S. 423

To amend title 38, United States Code, to make a stillborn child an insurable dependent for purposes of the Servicemembers' Group Life Insurance program.

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## IN THE SENATE OF THE UNITED STATES

FEBRUARY 17, 2005

Mr. SANTORUM (for himself and Mrs. LANDRIEU) introduced the following bill; which was read twice and referred to the Committee on Veterans' Affairs

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## A BILL

To amend title 38, United States Code, to make a stillborn child an insurable dependent for purposes of the Servicemembers' Group Life Insurance program.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3       **SECTION 1. TREATMENT OF STILLBORN CHILDREN AS IN-**  
4                       **SURABLE               DEPENDENTS               UNDER**  
5                       **SERVICEMEMBERS' GROUP LIFE INSURANCE**  
6                       **PROGRAM.**

7       (a) TREATMENT.—Section 1965 of title 38, United  
8       States Code, is amended—

1 (1) in paragraph (10), by adding at the end the  
 2 following new subparagraph:

3 “(C) The member’s stillborn natural  
 4 child.”; and

5 (2) by adding at the end the following new  
 6 paragraph:

7 “(11)(A) Except as provided in subparagraph  
 8 (B), the term ‘stillborn natural child’ means a nat-  
 9 ural child—

10 “(i) whose death occurs before expulsion,  
 11 extraction, or delivery; and

12 “(ii) whose—

13 “(I) fetal weight is greater than 500  
 14 grams;

15 “(II) in the event fetal weight is un-  
 16 known, duration in utero exceeds 22 com-  
 17 pleted weeks of gestation; or

18 “(III) in the event neither fetal weight  
 19 nor duration in utero is known, body  
 20 length (crown-to-heel) is 25 centimeters or  
 21 more.

22 “(B) The term does not include any fetus or  
 23 child extracted for purposes of an abortion.”.

24 (b) CONFORMING AMENDMENT.—Section 101(4)(A)  
 25 of such title is amended by striking “section 1965(10)(B)”

- 1 in the matter preceding clause (i) and inserting “subpara-
- 2 graph (B) or (C) of section 1965(10)”.

